

01/15/02
JC887 U.S. PTO

01-17-02
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. **1113KH-41603**
Prior Application Serial No.: **09/222,901**
First Named Inventor: **Louisa Shaefer**

Examiner: **D. Hobden**
Art Unit: **2875**

A
JC879 U.S. PRO
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U.S. PATENT & TRADEMARK OFFICE
P.O. BOX 2327
ARLINGTON, VIRGINIA 22202-0327

Sir: This is a request for filing a ☒ **continuation**
☐ **continuation-in-part**
☐ **divisional**

application under **37 CFR 1.53(b)**, of pending prior application serial no. **09/222,901** filed on **30 DECEMBER 1998**, for **NIGHT LIGHT**.

1. ☒ Enclosed is a complete copy of the prior application **including the oath or declaration as originally filed** and an affidavit or declaration verifying it as a true copy. (See No. 14 for declaration.)
2. ☒ New formal drawings are enclosed.
3. ☒ A preliminary amendment will follow.
4. ☒ Also enclosed: Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)
Return Postcard
5. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 ☐ is enclosed ☒ was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a).
6. ☐ Cancel in this application original claims ☐ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☒ Amend the specification by inserting the following sentence before the first line: "This is a ☒ Continuation, ☐ Continuation-in-Part or ☐ Division of application serial no. **09/222,901**, filed **30 December 1998**, entitled "Night Light."
8. ☐ Priority of application serial No. ☐, filed on ☐, in ☐ is claimed under 35 U.S.C. 119. The certified copy has been filed in prior application serial no. ☐, filed ☐.

"EXPRESS MAIL" No. **EV024943049US**
Date of Deposit: **15 JANUARY 2002**

This paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the U.S. Patent & Trademark Office, P.O. Box 2327, Arlington, Virginia 22202-0327.

9. X The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELLED BY AMENDMENT NOW

Basic Fee		\$370.00
1 additional claim		\$9.00
0 additional independent claims		\$ <u>0.00</u>
Total Filing Fee:	=	\$379.00

10. X The Commissioner is hereby authorized to charge \$ _____ and any additional fee which may be required, or credit any overpayment to Deposit Account No. 50-1060. *A duplicate of this sheet is enclosed.*

11. X A check in the amount of **\$379.00** is enclosed.

12. _____ The prior application is assigned of record to

13. X The power of attorney in the prior application is to Kenneth C. Hill.


- a. X The power of attorney appears in the original papers in the prior application.
- b. _____ A new power of attorney is enclosed (*adding prosecution attorneys*).
- c. _____ Since the power of attorney does not appear in the original papers, a copy of the power in the prior application is enclosed.
- d. X Address all future communication to: **Kenneth C. Hill, Esq., HILL & HUNN LLP, 201 Main Street, Suite 1440, Fort Worth, Texas 76102.**

14. X I hereby verify that the attached papers are a true copy of prior application serial no. **09/222,901** as originally filed on **30 DECEMBER 1998**.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

15 Jan 2002
Date

Address of signatory:
HILL & HUNN LLP
201 Main Street, Suite 1440
Fort Worth, Texas 76102
(817) 332-2113


Kenneth C. Hill
Reg. No. 29,650

____ Inventor(s)
____ Assignee of complete interest
 X Attorney or agent of record
____ Filed under §1.34(a)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor **LOUISA SHAEFER**

Title **AN INDIVIDUAL**

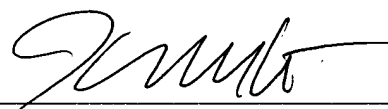
Atty Docket Number **1113KH-41603**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

15 January 2002

Date



Signature

Kenneth C. Hill

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.